


UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MILLER INVESTMENT TRUST and JURA LIMITED,)	
)	
Plaintiffs,)	
v.)	CIVIL ACTION
)	NO. 1:11-cv-12126
MORGAN STANLEY & CO. LLC and KPMG, a Hong Kong Partnership,)	
)	
Defendants.)	



SCHEDULING STIPULATION AND ~~PROPOSED~~ ORDER

Plaintiffs Miller Investment Trust (“Miller”) and Jura Limited (“Jura,” and with Miller, “Plaintiffs”) and Defendants Morgan Stanley & Co. LLC and KPMG, a Hong Kong Partnership (“KPMG-HK”) have stipulated to the following schedule, and respectfully request that the Court enter the same as its Order:

1. Plaintiffs shall file their Third Amended Complaint on or before the later of (a) April 29, 2015 or (b) 14 days after the Supreme Court Issues its opinion in *Omnicare, Inc. v. Laborers Dist. Council*, No. 14-435. No further amendment or supplementation of the Complaint will be permitted prior to the adjudication of the anticipated motion to dismiss by KPMG-HK.
2. If the Third Amended Complaint or any other document referenced herein is filed under seal or otherwise does not appear in complete form on PACER, the filing party shall contemporaneously email a complete, unredacted copy of the document to all counsel of record.
3. KPMG-HK shall file a motion to dismiss no later than 14 days after the receipt by its counsel of the unredacted Third Amended Complaint. The memorandum of law supporting the motion to dismiss shall not exceed 35 pages.

3. Miller shall file its opposition to KPMG-HK's motion to dismiss no later than 14 days after the receipt by its counsel of the unredacted motion to dismiss. The opposition shall not exceed 35 pages.

4. KPMG-HK shall file any reply brief in support of its motion to dismiss no later than 14 days after the receipt by its counsel of the unredacted opposition. The reply brief shall not exceed 15 pages.

5. A party shall have the right to ask the Court to adjust this scheduling order for good cause.

Stephen P. Windholz
United States District Judge
March 11, 2015

Respectfully submitted March 9, 2015

/s/ Laurence M. Rosen

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